

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
ALDIN LAPASTICA,

Plaintiff,

-against-

AUTO FILLING SERVICES, LLC, et al.,

Defendants.

22-cv-10254 (KHP)
ORDER OF DISMISSAL

-----X

KATHARINE H. PARKER, United States Magistrate Judge:

Plaintiff Aldin Lapastica (“Plaintiff”) brought this action against Defendants Auto Filling Services, LLC and Meier Eisenstadt (together, the “AFS Defendants”), and against Defendants Joel Klein and Joel Klein CPBC, LLC d/b/a FuelFilled (together, the “Klein Defendants”), asserting claims pursuant to the Fair Labor Standards Act (“FLSA”) and the New York Labor Law (NYLL).

Plaintiff has reached an agreement to resolve his claims against the AFS Defendants, and separately has reached an agreement to resolve his claims against the Klein Defendants. The parties have placed their respective proposed settlement agreements before this Court for approval. *See Cheeks v. Freeport Pancake House, Inc.*, 796 F.3d 1999 (2d Cir. 2015) (requiring judicial fairness review of FLSA settlements). Plaintiff has also submitted letters detailing why he believes the proposed settlement agreements are fair, reasonable, and adequate. (ECF Nos. 66 (as to the Klein Defendants); 67 (as to the AFS Defendants).) Plaintiff filed an additional letter (ECF No. 68) clarifying that the settlement agreements dispose of all claims in this action, including counterclaims asserted by the AFS Defendants against Plaintiff, and requesting that

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 12/28/2023

the Court approve the settlement agreements and fully dispose of this matter. The letter at ECF No. 68 also corrects typographical errors present in the letter at ECF No. 67.

This Court has reviewed Plaintiff's submissions in order to determine whether the proposed agreements represent a reasonable compromise of the claims asserted in this action, and, in light of the totality of the relevant circumstances, including the representations made in Plaintiff's letter and the terms of the proposed settlement agreements, it is ORDERED that:

1. The Court finds that the terms of the proposed settlement agreements are fair, reasonable, and adequate, both to redress Plaintiff's claims in this action and to compensate Plaintiff's counsel for their legal fees, and the agreement is therefore approved.
2. In accordance with the parties' request, this Court will retain jurisdiction over this matter for the purpose of enforcing the settlement agreements, if necessary.
3. As a result of the Court's approval of the parties' proposed settlement agreements, this action is hereby discontinued with prejudice and without costs.
4. The Clerk of Court is directed to close this case on the Docket of the Court.

SO ORDERED

Dated: New York, New York
December 28, 2023



KATHARINE H. PARKER
United States Magistrate Judge